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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

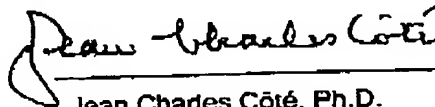
**Our File:** 12292.6  
**Applicant:** Cote, Jean-Charles  
**Serial No.:** 10/756,778  
**Filed:** 14 January 2004  
**Group Art Unit** 1653  
**Examiner:** Rooke, Agnes Beata.  
**Title:** A NOVEL BACILLUS THURINGIENSIS  
STRAIN, CRYSTAL, GENE AND CRYSTAL  
PROTEIN AND USES THEREOF

## DECLARATION UNDER 37 CFR 1.132

Dear Sir:

1. I, Jean-Charles Côté, Ph.D., residing at 192 rue de l'Amarante, St-Jean-sur-Richelieu, Quebec, Canada, J2W 3E9, am one of the inventors of the above-cited patent application.
2. I confirm that the specific strain deposited under no. IDAC01201-5 was deposited under the terms of the Budapest Treaty and that the strain will be irrevocably and without restriction or condition released to the public upon the issuance of the patent.
3. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true.

Respectfully submitted,



Jean Charles Côté, Ph.D.

Date: July 11, 2006